

Minutes
State Board of Education Meeting
Thursday, May 14, 2015

The State Board of Education met Thursday, May 14, 2015, in the Pulaski County Special School District Administration Building. Vice-Chairman Toyce Newton called the meeting to order at 10:00 a.m.

Present: Toyce Newton, Vice-Chair; Diane Zook; Joe Black; Dr. Jay Barth; Mireya Reith; Vicki Saviers; Kim Davis; Jonathan Crossley, Teacher of the Year; and Johnny Key, Commissioner.

Absent: Sam Ledbetter, Chairman and Alice Mahony

Work Session

Nomination Committee

The Nomination Committee, Vicki Saviers; Dr. Jay Barth; and Joe Black, met at 9:30 a.m. to consider recommendations for Chair and Vice Chair of the State Board of Education. The Committee shall secure the consent of its nominees to serve and report to the Board at the May meeting. Nominations from the floor shall be allowed. The election shall take place by voice vote at the June meeting. The outgoing Chair shall serve through the conclusion of the meeting, at which time the newly elected Chair shall take office.

Consent Agenda

Dr. Barth requested to pull Consent Item 5: Progress Report on the Status of Districts Classified in Fiscal Distress.

Ms. Zook requested to pull Consent Item 4: Report on Waivers to School Districts for Teachers Teaching Out of Area for Longer than Thirty (30) Days, Ark. Code Ann. §6-17-309.

Mr. Davis moved, seconded by Ms. Reith, to approve the consent agenda less C-4 and C-5. The motion carried unanimously.

The Board discussed the two consent items with ADE Assistant Commissioners.

Dr. Barth moved, seconded by Ms. Reith, to approve the consent agenda item C-4. The motion carried unanimously.

Ms. Zook moved, seconded by Mr. Davis, to approve the consent agenda item C-5. The motion carried unanimously.

Items included in the Consent Agenda:

- Minutes - April 9, 2015
- Minutes - April 10, 2015
- Newly Employed, Promotions and Separations
- Report on Waivers to School Districts for Teachers Teaching Out of Area for Longer than Thirty (30) Days, Ark. Code Ann. §6-17-309
- Progress Report on the Status of Districts Classified in Fiscal Distress
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #14-165 - William E. Crotts, Jr.
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #15-044 – Larry D. Walters
- Consideration of the Recommendation of the Professional Licensure Standards Board for Case #T13-015A – Claudia M. Garrigus

Action Agenda

Consideration of Approval as Final Rule – Department of Education Rules Governing Educator Mentoring Programs

Professional Licensure Standards Board (PLSB) Attorney Cheryl Reinhart said on February 12, 2014, the State Board approved, for public comment, proposed Rules Governing Educator Mentoring Programs. She said the Department received and considered public comment and had made some changes to the rules. She said public and private school personnel would be able to take advantage of mentoring programs.

Ms. Saviers moved, seconded by Mr. Davis, to approve the Department of Education Rules Governing Educator Mentoring Programs. The motion carried unanimously.

Consideration of Approval as Final Rule – Department of Education Rules Governing Educator Licensure

Professional Licensure Standards Board (PLSB) Attorney Cheryl Reinhart said on February 12, 2014, the State Board approved, for public comment, proposed Rules Governing Educator Licensure. She said the Department received and considered public comment and had made some changes to the rules.

Dr. Barth requested that the rules define “equity plan” as it is referenced in the rules.

Dr. Barth moved, seconded by Ms. Saviers, to approve Department of Education Rules Governing Educator Licensure with changes to define "equity plan". The motion carried unanimously.

Consideration of Approval as Final Rule – Repeal of Department of Education Rules Governing Nontraditional Licensure

Professional Licensure Standards Board (PLSB) Attorney Cheryl Reinhart said on July 10, 2014, the State Board approved, for public comment, the repeal of the Rules Governing Nontraditional Licensure as the provisions of the rule are incorporated into the Rules Governing Educator Licensure (approved for public comment on February 12, 2015). She said no public comment was received.

Ms. Saviers moved, seconded by Ms. Reith, to repeal the Department of Education Rules Governing Nontraditional Licensure. The motion carried unanimously.

Consideration of Approval as Final Rule – Repeal of Department of Education Rules Governing the Lifetime Teaching License

Professional Licensure Standards Board (PLSB) Attorney Cheryl Reinhart said on July 10, 2014, the State Board approved, for public comment, the repeal of the Rules Governing the Lifetime Teaching License as the provisions of the rule are incorporated into the Rules Governing Educator Licensure (approved for public comment on February 12, 2015). She said no public comment was received.

Dr. Barth moved, seconded by Ms. Zook, to repeal the Department of Education Rules Governing the Lifetime Teaching License. The motion carried unanimously.

Consideration for Report on ABCTE as an Accelerated Teaching Program

Assistant Commissioner for Human Resources, Licensure and Educator Effectiveness Ms. Ivy Pfeffer said she would work with ABCTE to discuss licensure issues.

Mr. Black moved, seconded by Ms. Reith, to approve the report on ABCTE as an Accelerated Teaching Program. The motion carried unanimously.

Consider Recommendation of New Praxis Computer Science 4-12 Test

Director of Educator Licensure Ms. Karli Saracini said to address a new Arkansas educator licensure area in Computer Science 4-12, Educational Testing Service (ETS) facilitated a multi-state standard setting study on April 27 and 28, 2015, on the new Praxis™ Computer Science (5651). She said the purpose of the standard setting study was to support the decision-making process for the Department to establish a passing score (cut score) for the new computer science test. She said two Arkansas computer science specialists will serve on the study panel. She said within a week after the study, ETS would provide a recommended cut score for the Department, the PLSB, and the State Board of Education to adjudicate. She said the ADE recommended adopting the Praxis™ Computer Science (5651) test with the recommended cut score of 171 effective immediately. She said the first testing window would be June 15-26, 2015.

Ms. Saracini said there would be two options to become licensed. A licensed teacher may take the test and, if the teacher exceeds the cut score, then the teacher may receive a license. A licensed teacher may take courses and then the test to receive a license. The second option is for a nontraditional licensure pathway.

Ms. Zook moved, seconded by Dr. Barth, to approve the Praxis Computer Science 4-12 Test with a cut score of 171. The motion carried unanimously.

Consideration for an Addendum to the North Little Rock School District ABC Program

Ms. Mary Kaye McKinney, representing the Division of Child Care and Early Childhood Education, said the North Little Rock School District established a classroom within the Amboy Elementary School to accommodate the children who may have needed services because of the closing of the ABC Preparatory Academy. She said these details were presented and approved during the January 2015 State Board of Education meeting. She said the North Little Rock District was approved for \$2,741,040.00 during the June 2014 State Board Meeting. She said the new grant award amount would be \$2,784,920.00.

Ms. Saviers moved, seconded by Ms. Reith, to approve the addendum to the North Little Rock School District ABC Program. The motion carried unanimously.

Consideration of Little Rock School District Progress Report

Little Rock School District Superintendent Mr. Baker Kurrus said he had assessed the organization during his first week on the job. He said the issues are communications, failure to operate toward a structured organization,

bottlenecks, lack of delegation of authority, low morale and lack of peer respect, and budget issues. These issues have translated into school failures. He said curriculum and instruction has not been integrated into teaching and learning. He said the lack of communication has resulted in surprises as exemplified by the recent concerns at the Rockefeller School community. He said the decision-making should be made by the people who will be implementing the work. He said the draft plan for Baseline Elementary is a continuous improvement plan. He said he would hire a new principal and challenge the staff to work together to revise the plan. He said the district would provide the support needed to ensure progress. Mr. Kurrus said the work must be community based. He said he is reaching out for assistance.

Ms. Reith said she is encouraged by the work in the community and the continuous improvement plans being worked at the school level. She encouraged open honest conversation between teachers and administrators.

Mr. Davis said he appreciated Mr. Kurrus being in the field. He recommended a sustainable communication plan.

Mr. Kurrus said the culture has stifled innovation and hard work. He expects the staff to be energetic and focused. He said the district has good people who need to work collaboratively.

Commissioner Key thanked Mr. Kurrus for his work.

Dr. Barth moved, seconded by Ms. Zook, to approve the Little Rock School District Progress Report. The motion carried unanimously.

Proposed Charge for the LRSD Civic Advisory Committee

Ms. Saviers moved, seconded by Mr. Davis, to place the Proposed Charge for the LRSD Civic Advisory Committee on the action agenda.

Dr. Barth submitted a proposed charge for the LRSD Civic Advisory Committee. The Board made a few revisions and submitted the following document to the Little Rock School District:

Charge for the LRSD Civic Advisory Committee
At its special meeting on 28 January 2015, the State Board of Education (SBE) established a "formal body of parents, students, community and business leaders, reflective of the Little Rock community and philanthropic organizations [to] serve as a Civic Advisory Committee to aid in improving the performance of students in all schools." After that meeting, the Civic Advisory Committee (CAC) was populated through appointments by area legislators for zone positions and community and philanthropic organization positions and by school leaders for

faculty and student positions from the six academically distressed schools in the district.

The SBE sees the CAC as a group to foster lay leadership as the LRSD prepares for its ultimate return to local control, to facilitate effective communication among the stakeholders in the community, and to aide the LRSD and ADE leadership in making community-based decisions with promise to move LRSD in a positive direction in terms of academic achievement.

If the LRSD remains under state control, a Community Advisory Board will be established in the second year of state takeover in accordance with Ark. Code Ann. § 6-15-430; the Community Advisory Board will have those powers laid out in statute. Until the time of its sunset with the appointment of a Community Advisory Board, the CAC shall operate with the following responsibilities:

1) To more effectively carry out its work and to prepare a cadre of lay leaders for the LRSD moving into the future, the CAC members shall engage in study of the forces that led to the current academic achievement challenges facing the district and the most promising practices for turning around those most academically distressed schools in the LRSD.

2) The CAC shall serve as a sounding board for the LRSD/ADE leadership as they consider strategies for moving the LRSD in a positive direction in terms of academic achievement.

3) The CAC shall advise the ADE and LRSD on how best to communicate with parents and patrons of the district about plans being developed for the operation of the school district and, as appropriate, shall itself serve as a communication vehicle between the ADE/LRSD and the public.

4) The CAC shall work to foster partnerships between parents, teachers, community groups (civic and business), reflective of the diversity of the district, and the LRSD in bringing to fruition programs that have particular promise for promoting academic achievement.

As appropriate, the Civic Advisory Committee may break itself into committees or working groups to more efficiently and effectively carry out its work.

At present, the leadership of the CAC is unclear. No later than June 1, the chair of the State Board of Education, the ADE Commissioner, and the Superintendent of the LRSD shall identify an individual—either a current member of the CAC or another individual—to serve as liaison between the CAC and the SBE, ADE, and LRSD. In addition, that person shall chair meetings of the CAC and report regularly to the SBE.

Dr. Barth moved, seconded by Ms. Reith, to approve the Charge for the LRSD

Civic Advisory Committee. The motion carried unanimously.

Consideration of Petition for Alteration of Education Service Cooperative Boundaries

Department Deputy General Counsel Mrs. Lori Freno said the Fordyce School District requested the State Board consider Fordyce's decision to change cooperative membership from the Dawson Education Service Cooperative (Arkadelphia) to the South Central Education Service Cooperative (Camden). She said this request would facilitate the alteration of cooperative boundaries as outlined in A.C.A. §6-13-1003 and §6-13-1005.

Ms. Zook moved, seconded by Mr. Davis, to approve the alteration of Education Service Cooperative Boundaries. The motion carried unanimously.

Classification of District in Fiscal Distress - Guy Perkins

Assistant Commissioner for Fiscal and Administrative Services Dr. Eric Saunders said pursuant to Ark. Code Ann. §6-20-1905, the Guy-Perkins School District received notice by certified mail as being identified by the Arkansas Department of Education for Fiscal Distress status. He said the District was informed in the March 10, 2015 identification letter that they could not incur any future debt obligations without prior written approval from ADE. He said on April 15, 2015, the Department received notice that the Guy-Perkins School District would appeal the fiscal distress classification. The notice was dated April 13, 2015, which was not within the 30 days allowed by law to file an appeal. Therefore, the District did not comply with Ark. Code Ann. §6-20-1905(b). Dr. Saunders recommended the Guy-Perkins School District be classified as being in Fiscal Distress as of May 14, 2015.

Guy-Perkins School District Superintendent Mr. Brian Cossey said he has reworked the budget and expected to end the year with approximately a half million dollars in unrestricted funds. He expressed concerns that a change in ADE staff had impaired the District's progress.

Dr. Saunders said until the district closed the books the final balance was unknown. He provided examples of the Department's concerns including expected expenditures and tax collection.

Ms. Reith moved, seconded by Ms. Saviers, to suspend the late filing and consider the appeal. Dr. Barth and Mr. Davis voted no. The final vote was 4-2. The motion carried.

Ms. Reith moved, seconded by Ms. Saviers, to table the action until the June

State Board meeting. The motion carried unanimously.

Classification of Districts in Fiscal Distress - Maynard

Assistant Commissioner for Fiscal and Administrative Services Dr. Eric Saunders said pursuant to Ark. Code Ann. §6-20-1905, the Maynard School District received notice by certified notice mail as being identified by the Arkansas Department of Education for Fiscal Distress status. He said the District was informed in the March 10, 2015, identification letter that they could not incur any future debt obligations without prior written approval from ADE. He said on April 9, 2015, the Maynard School District filed a letter of appeal.

Maynard School District Board President Mr. Steve Bounds said the Board made some decisions that may have affected the fiscal status of the district. He said the Board waited to make drastic cuts. He said recently, the district passed a millage for a building project. He said the Board had recently made staffing changes that will save the district approximately \$250,000.00.

Maynard School District Superintendent Ms. Patricia Rawlings said cuts have been made and she expected to have an increased balance.

Dr. Saunders said due to declining enrollment the district would receive less funding next fiscal year.

Dr. Barth moved, seconded by Ms. Saviers, to classify the Maynard School District in Fiscal Distress. The motion carried unanimously.

A-12 Review of Charter Authorizing Panel Action on Open-Enrollment Public Charter School: Covenant Keepers College Preparatory

Office of Educational Options Director Ms. Cindy Hogue said on April 15, 2015, the Charter Authorizing Panel considered the possibility of acting on the Covenant Keepers open-enrollment charter pursuant to Ark. Code Ann. 6-23-105, regarding an alleged failure to meet academic performance criteria deemed appropriate and relevant for the public charter school by the authorizer. She said by a vote of 3 to 1 the Charter Authorizing Panel decided to take no action.

Assistant Commissioner Dr. Eric Saunders said the progress of the charter school was below expectation.

Assistant Commissioner Dr. Debbie Jones said the charter school served high-need, highly mobile, high percentage of free and reduced lunch students.

Covenant Keepers Head of School Ms. Valerie Tatum said the charter school

had improving scores before the issue with the high school. The charter closed the high school and was trying to rebuild. She said the Latino students may be moving between countries. She said other students are displaced and therefore move to another school or district.

Assistant Commissioner Ms. Annette Barnes said the school improvement team was encouraged by the progress of the charter school.

Ms. Saviers moved, seconded by Dr. Barth, to review the Charter Authorizing Panel action on Open-Enrollment Public Charter School for the Covenant Keepers College Preparatory. The motion carried unanimously.

Consideration for Emergency Adoption: 2015 Open Enrollment Charter School Application

Department Staff Attorney Ms. Kendra Clay said the 2015 Open Enrollment Charter School Application included additional prompts suggested by the Charter Authorizing Panel and updated the submission deadline for the 2015 application cycle.

Dr. Barth moved, seconded by Mr. Davis, to approve the 2015 Open Enrollment Charter School Application for emergency adoption. The motion carried unanimously.

Consideration for Public Comment: 2015 Open Enrollment Charter School Application

Department Staff Attorney Ms. Kendra Clay said the 2015 Open Enrollment Charter School Application included additional prompts suggested by the Charter Authorizing Panel and updated the submission deadline for the 2015 application cycle.

Dr. Barth moved, seconded by Ms. Zook, to approve the 2015 Open Enrollment Charter School Application for public comment. The motion carried unanimously.

Consideration for Emergency Adoption: 2015 District Conversion Charter School Application

Department Staff Attorney Ms. Kendra Clay said the 2015 District Conversion Charter School Application included additional prompts suggested by the Charter Authorizing Panel and updated the submission deadline for the 2015 application cycle.

Ms. Reith moved, seconded by Dr. Barth, to approve the 2015 District Conversion Charter School Application for emergency adoption. The motion carried unanimously.

Consideration for Public Comment: 2015 District Conversion Charter School Application

Department Staff Attorney Ms. Kendra Clay said the 2015 District Conversion Charter School Application included additional prompts suggested by the Charter Authorizing Panel and updated the submission deadline for the 2015 application cycle.

Ms. Reith moved, seconded by Ms. Saviers, to approve the 2015 District Conversion Charter School Application for public comment. The motion carried unanimously.

State Board Review of PLSB Evidentiary Hearing Findings and Recommendations – PLSB Case No. 13-047; Beverly Garner-Harris

Item was pulled from the agenda at the request of Ms. Beverly Garner Harris.

Consideration of Waiver Request for Teaching License – Rayleun Rideout

Professional Licensure Standards Board (PLSB) Attorney Cheryl Reinhart said Mr. Rayleun Rideout is a licensed educator. She said on January 13, 2015, the Department advised Mr. Rideout that the Department would seek revocation of his teaching license based on a disqualifying offense for licensure under Ark. Code Ann. § 6-17-410(c). She said Mr. Rideout has requested a waiver of the disqualifying offense. She said Mr. Rideout does have a true finding and is on the child maltreatment registry.

Attorney Mr. James Phillips requested a waiver for Mr. Rideout. He said the true finding was related to Mr. Rideout's discipline of his child at home. He said police investigated the incident but filed no criminal charges. He said a safety plan was implemented by DHS so the family could remain in the home.

Attorney James Phillips said the incident occurred at the home while Mr. Rideout was disciplining his child.

Mr. Rayleun Rideout said the incident occurred in May 2014.

Mrs. Tabitha Rideout said her husband is a man of integrity. She said the family had been compliant with all requests.

Mr. Davis moved, seconded by Ms. Zook, to approve the waiver of the disqualifying offense with a two-year probation of Mr. Rideout's license, with no disqualifying offenses during that two-year period for Mr. Rayleun Rideout. The motion carried unanimously.

Hearing on Licensure Action – Leon Harris, Jr.

Professional Licensure Standards Board (PLSB) Attorney Cheryl Reinhart said Mr. Leon Harris, Jr. is seeking licensure by reciprocity. She said in 2004, the State Board permanently revoked a provisional license issued to Mr. Harris. Mr. Harris filed a motion asking the State Board to rescind that decision on the grounds that he was denied due process in 2004.

Attorney Cody Kees said Mr. Harris received a standard teaching license from Montana. Mr. Harris received an Arkansas license through reciprocity. Montana rescinded his license due to a procedural error. Because of reciprocity, the State Board revoked Mr. Harris' license in 2004. He said Mr. Harris has a standard teaching license in Nevada.

Ms. Reinhart recommended the Board rescind the previous decision. She said Mr. Harris could apply for an Arkansas license through reciprocity with Nevada.

Mr. Leon Harris, Jr. said he is applying now because he misses working with students.

Ms. Saviers moved, seconded by Mr. Davis, to rescind the revocation of license for Leon Harris, Jr. The motion carried unanimously.

Consideration for Final Approval: Proposed Revision of the Arkansas Department of Education Standards for Educational Interpreters and Transliterators

Ms. Courtney Salas-Ford, attorney for the Special Education Unit, said the ADE Standards for Educational Interpreters and Transliterators were revised to reflect changes in licensure for interpreters of the hearing impaired as required by Arkansas Code Annotated § 20-14-801 et seq. (Act 1314 of 2013). The State Board released these standards for public comment on April 9, 2015. A public hearing was held on April 28, 2015. The public comment period expired on May 13, 2015. No comments were received during the public comment period. Department staff respectfully requests the State Board approve the proposed standards pending Legislative Council review.

Ms. Zook moved, seconded by Mr. Davis, to approve the revision of the

Arkansas Department of Education Standards for Educational Interpreters and Transliterations. The motion carried unanimously.

Consideration of Nomination Committee Report

Ms. Saviers said the nomination committee recommended Ms. Toyce Newton for Chair and Ms. Mireya Reith for Vice-Chair. She said the election shall take place by voice vote at the June meeting.

Mr. Black moved, seconded by Dr. Barth, to approve the nominations. The motion carried unanimously.

Adjournment

The meeting adjourned at 2:37 p.m.

Minutes recorded by Deborah Coffman.



Sam Ledbetter, Chair


Johnny Key, Commissioner of Ed.